Date: August 6, 2004

Charles B. Cappellari Registration No. 40,937

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FROM:	Charles B. Cappellari Gen-Probe Incorporated 10210 Genetic Center Drive San Diego, California 92121 Phone No. (858) 410-8927 Facsimile No. (858) 410-8928	TO: Examiner: Frank Wei Min Group 1634 U.S. Patent & Trademark Office Facsimile No. (703) 872-9306	PECEIVED CENTRAL FAX CENTRAL F	MER
Number of	pages (including this cover page): 14			
In re Patent	Application of:	Group Art Unit: 1634		
AMMANN	et al.)	Examiner: Frank Wei Min Lu		
Serial No. 0	9/973,862	Atty. Docket No. GP095-06.DV4		
Filed: Oct	ober 11, 2001)	Confirmation No. 8811		
ISO	TOMATED SYSTEM FOR) LATING AND AMPLIFYING A) RGET NUCLEIC ACID)	Date: August 6, 2004		٠
Transmitted	I herewith are the following:			
1)	Transmittal Form PTO/SB21 (1 pg			
2)	Fee Transmittal PTO/SB/21 in dup	licate (2 pgs. total); and		
3)	Preliminary Amendment (10 pgs.).		,	
		OF TRANSMISSION us attached) is being sont by facsimile to 703-872-93	06 on the date	

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August 6, 2004

PTO/SB/17 (10-03) Approved for use through 07/31/2006, OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Papenwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete If Known FEE TRANSMITTAL 09/973.862 Application Number October 11, 2001 for FY 2004 Filing Date Kelly G. Ammann First Named Inventor Effective 10/01/2003, Patent fees are subject to annual revision. Frank Wei Min Lu Examiner Name Applicant claims small entity status. See 37 CFR 1,27 1634 Art Unit (\$) 216.00 TOTAL AMOUNT OF PAYMENT GP095-06.DV4 Attorney Docket No METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money Order Check Credit card 3. ADDITIONAL FEES Other Large Entity Small Entity ✓ Deposit Account: Fee Fee Description Deposit Code (\$) Code 07-0835 Fee Paid Account 1051 2051 Number 130 65 Surcharge - late filling fee or oath Deposit 1052 2052 Surcharge - late provisional filing fee or Gen-Probe Incorporated 50 Name 1053 130 1053 130 Non-English specification Director Is authorized to: (check all that apply) 1812 2.520 1812 2,520 For filing a request for ex perte reexamination Charge fee(s) indicated below Credit any overpayments 1804 920 1804 920" Requesting publication of SIR prior to Examiner action Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee 1805 1.840 1805 1,840" Requesting publication of SIR after to the above-identified deposit account Examiner action 1251 110 2251 Extension for reply within first month FEE CALCULATION 1252 420 2252 210 Extension for reply within second month 1. BASIC FILING FEE arge Entity Small Entity 1253 950 2253 475 Extension for reply within third month ee Fee Fee Description Fee Paid 1254 1,480 2254 740 Extension for reply within fourth month Code (\$) 1255 2.010 1001 770 2001 385 2255 1,005 Extension for reply within fifth month Utility filing fee 1002 340 2002 170 1401 Design filing fee 330 155 Notice of Appeal 1003 530 2003 265 Plant filing fee 1402 330 2402 165 Filing a brief in support of an appeal 1004 770 2004 385 Reissue filing fee 1403 290 2403 145 Request for oral hearing 1005 160 2005 1451 1,510 1,510 Petition to institute a public use proceeding 80 Provisional filing fee 1451 1452 110 2452 55 Patition to revive - unavoidable SUBTOTAL (1) (\$) 1453 1,330 2453 555 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,330 2501 665 Utility issue fee (or roissue) Fee from Ext<u>ra Claim</u>s below 1502 480 2502 240 Design issue fee -20** = 14* × 118 Total Claims 1503 640 2503 320 Plant issue féé Independent х 1460 130 146D 130 Petitions to the Commissioner Multiple Dependent 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) *Paid for 2 previously arge Entity (Small Entity 1806 180 1806 180 Submission of Information Disclosure Stmt Fee Description 40 Recording each patent assignment per Code (\$) Code (\$) 8021 40 8021 property (times number of properties) Claims in excess of 20 1202 18 2202 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1809 770 2809 1201 86 2201 43 Independent claims in excess of 3 385 For each additional invention to be examined (37 CFR 1.129(b)) 1203 290 2203 145 Multiple dependent claim, if not paid 1810 770 2810 1204 88 2204 ** Reissue Independent claims over original patent 1801 2801 770 385 Request for Continued Examination (RCE) 1205 2205 ** Reissue claims in excess of 20 18 9 1802 900 1802 900 Request for expedited examination and over original patent of a design application (\$) 216.00 Other fee (specify) SUBTOTAL (2) Reduced by Basic Filing Fee Paid or number previously paid, if greater; For Reissues, see abov SUBTOTAL (3) SUBMITTED BY (Complete (# applicable)) Registration No. Name (Print/Type) Charles B. Seppellari 40.937 Telephone 858-410-8927

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FEE TRANSMITTA	-	Application Number 0			09/973,	09/973,862		
for FY 2004	Î	Filing Date Octo			October	tober 11, 2001		
Effective 10/01/2003, Patent fees are subject to annual revision.		First Named Inventor Kelly C			Kelly G.	G. Ammann		
	Examiner Name Frank			Frank V	Vei Min Lu			
Applicant claims small entity status. See 37 CFR 1.27		Art Unit 1634			1634			
TOTAL AMOUNT OF PAYMENT (\$) 216.00		Attorney Docket No. GP095-06.DV4			06.DV4			
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)						
Check Credit card Mondy Other None	3. ADDITIONAL FEES							
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Nome (PrintTypo) Charles B. Sappellari	\neg		tion No.	40.9	37	Telaphone 858-410-8927		
Citating B. Copperation		(Attorney	/Actriti	170.5		Date August 6 200	4	

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P.002/014 F-684

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Under the Panch	ork Reduction Act of 1995.	no person:	s are required to respond to a collection Application Number	on of info	rmation unless i	t display:	a valid OMB control number.
				09/973,	862		
TRANSMITTAL			Filing Date	October	r 11, 2001		
FORM			First Named Inventor	Kelty G	. Ammann	1, <u> </u>	
(to be used for all o	corrospondence after initial	filing)	Art Unit	1634			
			Examiner Name	Frank V	Vei Min Lu		
Total Number of Pa	ges In This Submission	14	Attorney Docket Number	GP095	-06.DV4		
	7.	ENC	LOSURES (Check all tha	t apply))		
Amendment After Affid Extension of Express Aba Information Certified Co Document(s) Response to Incomplete	Attached //Reply Final avits/dectaration(s) f Time Request andonment Request Disclosure Statement apy of Priority o Missing Parts/		Drawing(s) LicensIng-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Add Terminal Disclaimer Request for Refund CD, Number of CD(s)	ress	to To	echnological Compopeals a carl Compopeals a carl Compopeal Notice or carl Notice or carl Compopeal Compope	sure(s) (please w); dment
Firm	SIGNA Charles B. Cappellari,	TURE	OF APPLICANT, ATTOR	NEY, C	OR AGENT		
	Reg. No. 40,937						•
Signature	10-1-						
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IN THE UNITED STATES PA	A I LI	I AND IKADEMAKK OFFICE	
In re Patent Application of:)	Group Art Unit: 1634	RECEIVED CENTRAL FAX CENTER
AMMANN et al.)	Examiner: Lu, F.	AUG 0 6 2004
Serial No. 09/973,862)	Atty. Docket No. GP095-06.DV4	ALIAI
Filed: October 11, 2001)	VIA FACSIMILE	UFFILIAL
For: AUTOMATED SYSTEM FOR)		
ISOLATING AND AMPLIFYING)		v.
A TARGET NUCLEIC ACID	7		
SEQUENCE	,		

PRELIMINARY AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please enter the following amendments to the specification and claims of the above-captioned application prior to substantive examination.